



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



July 21, 2008

Bruce W. McClendon FAICP  
Director of Planning

**PROJECT MITIGATION MEASURES  
DUE TO ENVIRONMENTAL EVALUATION**

**Project:** 03-238  
**Case:** PM 060030

The Department of Regional Planning (DRP) staff has determined that the following mitigation measures or conditions for the project are necessary to ensure that the proposed project will not cause significant impacts upon the environment.

The permittee shall deposit the sum of \$3000.00 with the Department of Regional Planning within 30 days of project approval, in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

Mitigation Measures for: **Noise**

1. Noise impacts during construction shall be mitigated to protect the nearby residences. In order to minimize construction noise impacts, the applicant shall implement the following mitigation measures:

A. The applicant shall comply with all applicable sections of the County of Los Angeles noise control ordinance Title 12 Environmental Protection Noise Control (i.e. construction noise). In addition, standard construction noise attenuation measures should be included but not limited to the following: 1) maintain equipment and follow the manufacturer's recommended noise muffling devices; 2) minimize equipment idling; 3) staging and delivery areas should be located as far as feasible from nearby residences and schedule deliveries during mid-day or mid morning; and 4) to the extent feasible, utilize electrical powered tools or equipment instead of diesel powered equipment for exterior work.

B. During grading and earth material hauling activities, it is suggested that such work be prohibited on any Sunday or legal holidays, or at any other time between weekday hours of 6:00 p.m. and 8:00 a.m. (ordinance indicates construction work prohibited between 7:00 p.m. and 7:00 a.m.). "Grading" means any excavating or filling of earth material or any combination thereof conducted at a site for construction or other improvements thereon.

Mitigation Measures for: **Air Quality**

2. All off-road diesel powered engines used during construction and any excavation/grading phases must utilize aqueous diesel fuels.

3. The Project Developer/General Contractors shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout

the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- Use late model heavy-duty diesel-powered equipment at the Project Site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
- Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the Project Site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)
- Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment).
- Limit truck and equipment idling time to five minutes or less.
- Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.
- To further reduce PM10 and PM2.5 emissions during mass grading, fine grading, and trenching activities, material handling equipment (e.g., graders, rubber tired dozers, tractors/loaders/backhoes, excavators, scrapers, and water trucks) shall be equipped with a Diesel Particulate Filter (DPF) in a manner to ensure operability and efficiency.
- To further reduce NOx emissions during mass grading, fine grading, and trenching activities, material handling equipment (e.g., graders, rubber tired dozers, tractors/loaders/backhoes, excavators, scrapers) shall be equipped with a Diesel Oxidation Catalyst with a control efficiency of 30 percent minimum as feasible.
- To further reduce NOx emissions during mass grading, fine grading, and trenching activities, material handling equipment, water trucks shall be equipped with a Diesel Oxidation Catalyst with a control efficiency of 25 percent minimum as feasible.
- To further reduce PM10 and PM2.5 emissions during paving activities, pavers, rollers, and other paving equipment shall be equipped with a DPF in a manner to ensure operability and efficiency.
- To further reduce NOx emissions during paving activities, pavers, rollers, and other paving equipment shall be equipped with a Diesel Oxidation Catalyst with a control efficiency of 35 percent minimum as feasible.

- To further reduce PM10 and PM2.5 emissions during construction activities, equipment such as cranes, forklifts, generator sets, tractors/dozers/backhoes, and welders shall be equipped with a DPF in a manner to ensure operability and efficiency.
  - To further reduce NOx emissions during construction activities, equipment such as cranes, forklifts, generator sets, tractors/dozers/backhoes, and welders shall be equipped with a Diesel Oxidation Catalyst with a control efficiency of 35 percent minimum as feasible.
4. The Project Developer/General Contractors shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required include the following:
- Apply dust suppressants (e.g., polymer emulsion) to actively disturbed areas upon completion of clearing and grading.
  - Replace ground cover in disturbed areas as quickly as possible.
  - Water disturbed sites three times daily (locations where grading is to occur will be thoroughly watered prior to earth moving).
  - All trucks hauling dirt, sand, soil, or other loose materials are to be tarped with a fabric cover and maintain a freeboard height of 12 inches.
  - Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.
  - During construction, trucks and vehicles in loading and unloading queues would turn their engines off when not in use to reduce vehicle emissions; all construction vehicles shall be prohibited from idling in excess of 5 minutes, both on and off site.
  - Require minimum soil moisture of 12 percent for earthmoving by use of a moveable sprinkler system or a water truck. Moisture content can be verified by lab sample or moisture probe.
  - Construction emissions will be scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
  - General contractors shall maintain and operate construction equipment to minimize exhaust emissions; all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
  - Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.
  - An information sign shall be posted at each entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

#### Mitigation Measures for: **Biota**

#### 5. The following mitigation measures shall be applied:

- A. As mitigation for impacts to coastal sage scrub, Peirson's morning glory, and wildlife movement, coastal sage scrub with known locations and/or potential habitat (within high quality coastal sage scrub) for the Peirson's morning glory is being preserved on-site and within a portion of APN: 3271-005-030,

which will be set aside as a conservation easement and properly maintained by an appropriate entity approved by Los Angeles County. The off-site mitigation area (APN: 3271-005-030) was selected because it is located adjacent to the Project Site and supports higher quality Riversidean sage scrub communities, the same special-status plants and special-status wildlife as the impacted parcel, and that it is continuous with undeveloped land to the south and west that connects to the Santa Clara River. Surveys within the off-site mitigation area (APN: 3271-005-030) included vegetation mapping and a burrowing owl habitat assessment conducted in 2007. Four (4) vegetation types were mapped, which include coastal sage scrub, riparian scrub, ruderal/non-native grasslands, and disturbed/developed lands. The coastal sage scrub within the mitigation area (APN: 3271-005-030) closely resembles the coastal sage scrub within the Project Site. Due to the close proximity of the mitigation area (APN: 3271-005-030) to the Project Site, the mitigation area is expected to support the same flora and fauna as the Project Site.

B. The following mitigation shall apply as indicated:

- Coastal Sage Scrub – As mitigation for impacts to coastal sage scrub, approximately 5.5 acres of coastal sage scrub is being preserved on-site and 30.0 acres of coastal sage scrub within a portion of the off-site mitigation area (APN: 3271-005-030).
- Riparian Scrub – As mitigation for impacts to riparian scrub, the developer shall provide a minimum of a 1:1 replacement ratio for these resources. Appropriate mitigation for impacts to riparian scrub (CDFG jurisdictional waters) will be determined through the CDFG 1602 Streambed Alteration Agreement permitting process.
- Valley Oak Trees – Impacts to 0.12 acres of valley oak trees consists of four valley oak trees (*Quercus lobata*), of which one tree is considered a heritage oak. As mitigation for impacts, the developer has contributed \$18,870.00 to the Los Angeles County “Oak Forest Special Fund”.
- Peirson’s Morning Glory – Approximately 2.31 acres of known locations and/or potential habitat for the Peirson’s morning glory will be impacted through project development. As mitigation for impacts to mapped areas of Peirson’s morning glory, approximately 2.60 acres of known locations and/or potential habitat (within high quality coastal sage scrub) for the Peirson’s morning glory is being preserved on-site and 10.9 acres of known locations and/or potential habitat (within high quality coastal sage scrub) for the Peirson’s morning glory within a portion of the off-site mitigation area (APN: 3271-005-030).
- Western Burrowing Owl – Foraging habitat for a species of concern to CDFG, western burrowing owl (CSC), will be impacted through project development. As mitigation for impacts to burrowing owl foraging habitat, the project is to preserve as a conservation easement approximately 10.5 acres of burrowing owl potential suitable habitat within a portion of the off-site mitigation area (APN: 3271-005-030). Also, in accordance with Section 2.1.5 [Western Burrowing Owl] of the Impact Analysis and Mitigation Measures within the Biological Constraints Analysis (BCA) prepared for this project, the applicant shall conduct pre-construction surveys for the western burrowing owl (*Athene cunicularia hypugea*) in accordance with CDFG and the California Burrowing owl Consortium guidelines. Surveys should be conducted within 30 days prior to disturbance. Take of active nests will be avoided. Passive relocation (use of one-way doors and collapse of burrows) will occur if owls are present outside of the nesting season.

- Western Spadefoot Toad (WST) – A wildlife species of concern to CDFG, the western spadefoot toad (CSC), will be impacted through project development. Approximately 1,550 square feet (0.04 acre) of occupied western spadefoot toad habitat will be impacted through project development. As mitigation for impacts, the developer is to create a seasonal pool suitable for western spadefoot toad occupation at a 1:1 ratio (0.04 acre). The created seasonal pool will be suitable for the WST reproductive cycle (e.g. pond water for 3 weeks or more) located within approximately 0.2 acre of ruderal/non-native grassland vegetation habitat of the proposed mitigation area as determined by a qualified biologist. WST tadpoles (larvae) will be translocated from the impacted seasonal pool to the created seasonal pool and monitored for a minimum of three years or a specific time as determined through coordination with CDFG. A WST mitigation and monitoring plan shall be prepared and approved by Los Angeles County prior to commencement of construction that details the proposed pond creation and WST salvage and relocation effort. The pond creation and WST salvage program shall be implemented during the seasonally appropriate period of the wet season (when rainfall fills the ponds) prior to any ground disturbance.
- Wildlife Movement – The project will affect north and south local movement of wildlife from the mitigation parcel to areas north of the project. Regional wildlife movement is limited through the project site due to the surrounding development and infrastructure such as secondary improved roads to the north. As mitigation to the project's grading impacts on native plant and wildlife populations, and to facilitate movement of wildlife through the area following project implementation, the developer shall revegetate the exterior slopes and fuel modification areas with species native to the local area that are approved by the Los Angeles County Fire Department and Department of Regional Planning. Therefore, 30.7 acres will be preserved or revegetated within the north, south, and mostly along the western boundary of the Project Site, which will provide for north-south wildlife movement through the Project Site. The applicant shall also preserve 5.5 acres of Riversean sage scrub, 7.4 acres of ruderal/non-native grassland, and 0.7 acre of box-springs goldenbrush-grassland within the Project Site.
- Corps Jurisdiction – The project will impact approximately 7,840 square feet (0.18 acre) of Corps jurisdictional waters, none of which consist of jurisdictional wetlands. As mitigation for impacts to Corps jurisdiction, the applicant shall provide a minimum of a 1:1 replacement ratio for these resources, subject to agency approval. Appropriate mitigation for impacts to Corps jurisdictional waters will be determined through the Section 404 Permit.
- CDFG Jurisdiction – The project will impact approximately 16,117 square feet (0.37 acre), of which 8,712 square feet (0.20 acre) consist of vegetated riparian habitat. As mitigation for impacts to CDFG jurisdiction, the developer shall provide a minimum of a 1:1 replacement ratio for these resources, subject to agency approval. Appropriate mitigation for impacts to CDFG jurisdictional waters will be determined through the CDFG 1602 Streambed Alteration Agreement permitting process.

C. To reduce the long term loss of native habitat and the potential of invasive species establishment, a landscape plan shall be prepared for all graded areas outside of any mandated brush clearance zones and shall be submitted for review and approval by the County of Los Angeles Department of Regional Planning prior to the issuance of a grading permit. The landscape plan shall limit irrigation to within Fuel Modification Zone A and shall utilize only locally indigenous plant species and varieties in accordance with the requirements of the Castaic CSD.

D. The developer shall consult with CDFG prior to the issuance of any grading permits for potential impacts to State listed species and any salvage and relocation plans for special status plant or wildlife species. Although not observed on site during site surveys, the California Coastal Gnatcatcher is known to be present in the vicinity. In order to ensure its protection, as well as other Migratory nongame native bird species that are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), of which Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit the take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA), the developer shall ensure that if project activities cannot feasibly avoid the breeding bird season, then beginning thirty days prior to the disturbance of a suitable nesting habitat the developer/project proponent will arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. The developer shall record the results of the surveys and recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

E. Prior to grading, a qualified biologist shall be retained by the applicant as the biological monitor subject to the approval of the County of Los Angeles. That person shall ensure that impacts to biological resources (inclusive of special-status plants) are avoided or minimized, and shall conduct pre-grading field surveys for special-status plant and animal species that may be affected and/or eliminated as a result of grading and/or site preparation activities. During earthmoving activities, the biological monitor shall be present to relocate any vertebrate species that may come into harm's way to an appropriate offsite location of similar habitat. The biological monitor shall be authorized to stop specific grading activities if violations of mitigation measures or any local, state, or federal laws are suspected.

F. Any temporary or permanent fencing or sign posts shall be of a type that does not inadvertently snare perching birds, especially raptors. In an effort to eliminate the potential of snaring, fence and sign posts shall be of a type either lacking bolt holes near the top of the post or shall have the holes filled with a nut and bolt. The applicant shall limit the amount of barriers for the Project Site to the greatest extent possible. Any barriers constructed for the project will not impede any north-south wildlife movement through the preserved and revegetated areas within the Project Site.

G. In order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of

surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.

H. Vegetation within the Fuel Modification Plan area outside of irrigated areas shall be thinned selectively (i.e. no wholesale clearing) so that elements of native vegetation remain. The trimming of native shrubs shall be rotated from year to year so that individual plants are able to recover from pruning and 'rest' before being pruned again. Fuel modification activities shall be accomplished by manual means (including hand-held powered equipment such as weed whackers); mowers, disking, other large machinery, or herbicides shall not be used.

I. Anticoagulants are not to be used as a method of rodent control.

#### Mitigation Measures for: **Drainage and Grading**

6. The requirements for an approved drainage concept and grading plan will be necessary for any grading proposed. The plans must be reviewed and approved to the satisfaction of Public Works, prior to the issuance of any grading and building permits. All development and redevelopment projects, which fall into one of the Standard Urban Stormwater Mitigation plans project types, characteristics, or activities, must obtain Standard Urban Stormwater Mitigation Plans approval by the appropriate agency.

7. Should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks, industrial waste treatment or disposal facilities, and/or storm water treatment facilities, the applicant/developer must first contact the Environmental Programs Division for required approvals and operating permits.

8. A grading plan and geotechnical report shall also be reviewed and approved by Public Works prior to the issuance of a grading permit.

9. The applicant shall contact the State of California Department of Fish and Game for instructions on their review of the drainage concept and grading plan, and obtainment of a Streambed Alteration Agreement if necessary. Review and approval of the plan is required prior to any issuance of grading permits by Public Works.

#### Mitigation Measures for: **Oil Field Maintenance**

10. The applicant shall implement the following mitigation measures to ensure the safety and proper maintenance of the existing oil field/wells on site:

- No building intended for human occupancy should be located near any active well unless suitable safety and fire protection measures are approved by the County Fire Department.
- Setback structures at least ten (10) feet on two sides, fifty (50) feet on the third side, and open access on the fourth side to accommodate a workover rig.
- Establish and designate open areas, such as drilling islands, to allow for potential drilling and to recover oil and gas resources. Refer to State of California Department of Conservation (DOGGR)

Division publication TR31, "Land Use Planning in Urban Oil Producing Areas", before finalizing all land use planning decisions.

- Maintain adequate access to all tank settings and well locations; should be sufficient to allow for the entry and operation of heavy equipment, tank trucks, and, at well sites, workover rigs and masts.
- For public safety, all wells and associated equipment within the project site shall be enclosed by an eight-foot block wall, with barbed wire on the inside at the seven foot level. Suitable secure gates should be provided which are capable of allowing large workover equipment access into the well sites. The grade within the enclosed areas should be constructed so that potential spillage will be confined to the enclosure. Safety shut-down devices on wells and other oilfield equipment must be considered when appropriate. To restrict access, climbable landscaping around the perimeter of the oilfield facility shall be avoided.
- To ensure periodic maintenance of the active wells, until they are plugged and abandoned, adequate clearance shall be provided for well workover equipment; roads for such equipment should have a minimum of 12-foot width of clearance and be designed for heavyweight use.
- Any proposed structure to be located over or in proximity to a previously plugged and abandoned well may require that the well be plugged to current State of California Department of Conservation (DOGGR) Division specifications. Section 3208.1 of the Public Resources Code (PRC) authorizes the State Oil and Gas Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in the proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.
- Any plugged and abandoned or unrecorded wells that are damaged or uncovered during excavation or grading may require remedial plugging operations. If such damage or discovery occurs, the State of California Department of Conservation (DOGGR) Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.
- All wells within or in close proximity to project boundaries must be accurately plotted on all future maps of this project, and a legible copy of the final project map must be submitted to the State of California Department of Conservation (DOGGR) Division's District office in Ventura.
- If construction over an abandoned well is unavoidable then an adequate gas venting system shall be placed over the well. In addition, the Los Angeles County Building Code, Section 110.4, requires that buildings or structures adjacent to or within 200 feet (60.96 m) of active, abandoned, or idle oil or gas well(s) be provided with methane gas protection systems.
- To ensure proper review of the project, the applicant shall consult the State of California Department of Conservation (DOGGR) Division's packet entitled, "Construction Project Site Review and Well Abandonment Procedure" which outlines the information a project developer must submit to the Division for review. Contact the Building and Safety Division of the Department of Public Works for a copy of the site-review packet.



- Prior to commencing operations, the project applicant must consult with the State of California Department of Conservation (DOGGR) Division's Ventura office for information on the wells located in the project area. Submit a legible copy of the final project map, and all future maps of this project, with all wells accurately plotted to the Division's District office in Ventura.

#### Mitigation Measures for: **Toxic Substances Control**

11. The applicant/developer shall contact the State of California Department of Toxic Substances Control (DTSC) for an evaluation as to whether conditions at the site pose a threat to human health or the environment. If necessary, all environmental investigation and/or remediation shall be conducted under a Work Plan which is approved by a regulatory agency who has jurisdiction to oversee hazardous waste cleanups (e.g. Los Angeles County Fire Department). Proper investigation and remedial actions shall be conducted at the site prior to its development. If during construction of the project, soil contamination is suspected, construction in the area shall stop, and appropriate health and safety procedures shall be implemented. If it is determined that contaminated soil exists, the applicant/developer shall follow the directives of the (DTSC), the Health Hazardous Materials Division of the County Fire Department, and the Environmental Programs Division of County Public Works, as to how any required investigation and/or remediation will be conducted. These agencies will be in charge of regulatory oversight. DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on VCP, please go to [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

#### Mitigation Measures for: **Recycling and Debris Material**

12. Construction projects with a total value of over \$100,000 and demolition and grading projects in the County's unincorporated areas are required to recycle or reuse 50 percent of the construction and demolition debris generated per the County's Construction and Demolition Debris Recycling and reuse Ordinance. A recycling and Reuse Plan must be submitted to and approved by the Environmental Programs Division before a construction, demolition, or grading permit may be issued.

#### Mitigation Measures for: **Sewer**

13. Although the project area is outside the jurisdictional boundaries of the County Sanitation Districts and will require annexation into the Santa Clarita Valley Sanitation District before sewerage service can be provided to the proposed development, due to the potential impact that the project may have on the existing downstream sewer system within Commerce Center Drive, an upgrade to the segments of the existing downstream sewer lines from Hasley Canyon Road to the County Sanitation District's trunk line in The Old Road may be required. Intermittent flow tests shall be conducted to the satisfaction of Public Works to monitor the sewer capacity and determine when upgrades are to be constructed. To guarantee the performance of these flow tests, a cash deposit in the amount of \$10,000 shall be submitted to Public Works by the applicant/developer. If a sewer assessment district is formed, the project applicant shall submit a proportional payment to fund these mitigation measures to the satisfaction of Public Works; or otherwise shall provide a letter of credit in an amount sufficient to cover all identified mitigation measures per the approved sewer area study to the satisfaction of Public Works.

Mitigation Measures for: **Roads and Highways**

14. The applicant shall meet with Caltrans to determine the potential financial share towards the capacity augmentation of the high occupancy lanes and truck lanes along the Golden State (I-5) Freeway from State Route 14/I-5 junction to State Route 126/I-5 Interchange. This freeway improvement is a defined project within the Regional Transportation Plan and contributions from developers that have a traffic impact on the freeway was contemplated by the State. The applicant shall work with Caltrans to establish an appropriate contribution towards this freeway improvement. The written agreement between the applicant and Caltrans shall be submitted to the Traffic and Lighting Division of the County Department of Public Works prior to issuance of building permits.

15. The following improvements shall be the sole responsibility of the project and made a condition of approval to be in place prior to issuance of building permits:

- Commerce Center Drive at Witherspoon Parkway:  
South approach: Two left-turn lanes and three through lanes (add left-turn lane). Install traffic signal.
- Commerce Center Drive at Harrison Parkway:  
South approach: Two left-turn lanes and three through lanes (add left-turn lane).  
West approach: One shared left/right-turn lane and one exclusive right-turn lane (convert left-turn lane to shared left/right-turn lane). Install traffic signal.

16. The installation of improvements at the following locations will mitigate impacts due to the project and are required to be completed, in place and operational, before any building permits are issued:

- Hasley Canyon at I-5 Interchange (Roundabout)
- Commerce Center Drive at SR-126 Interchange (Grade Separation)

17. The project along with other related projects will significantly impact the following County intersections. The project shall contribute its proportionate share of the cost for the following mitigation measures:

- Commerce Center Drive at Witherspoon Parkway:  
North approach: Two through lanes, one shared through/right-turn lane, and one exclusive right-turn lane (convert one through-lane to shared through/right-turn lane).  
The project's pro-rata share is 31 percent.
- Commerce Center Drive at Franklin Parkway:  
South approach: Two left-turn lanes and three through-lanes (add left-turn lane).  
West approach: One left-turn lane and two right-turn lanes (add right-turn lane).  
The project's pro-rata share is 24 percent.
- The Old Road at Henry Mayo Drive:  
West approach: Two left-turn lanes and one free-flow right-turn lane (add left-turn lane).  
The project's pro-rata share is 1 percent.  
Conceptual plans and cost estimates for these improvements shall be submitted to Public Works for review and approval prior to map recordation.

Mitigation Measures for: **Emergency Services**

18. The applicant shall participate in an appropriate financing mechanism, such as a developer fee or an in-kind consideration in lieu of developer fees, to provide funds for fire protection facilities which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project. Currently, the developer fee is a set amount per square foot of building space, adjusted annually, and is due and payable at the time a building permit is issued. In the event that the developer fee is no longer in effect at the time of building permit issuance then this mitigation measure will be required.

Mitigation Measures for: **Mitigation Compliance**

19. As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the DRP for review and responsible for replenishing the mitigation monitoring account, if necessary, until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by a Hearing Officer or the Planning Commission will be on the project as changed/conditioned.

Robert E. Williams

Applicant

7/21/08

Date

[ ] No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date